

1-1 By: Ellis S.B. No. 1032
1-2 (In the Senate - Filed March 7, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 18, 2005, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the elimination of certain alternative fuels programs
1-9 of this state.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. The following laws are repealed:

1-12 (1) Subchapter F, Chapter 382, Health and Safety Code;

1-13 and

1-14 (2) the following subchapters of the Transportation
1-15 Code:

1-16 (A) Subchapter G, Chapter 451;

1-17 (B) Subchapter F, Chapter 452;

1-18 (C) Subchapter F, Chapter 453; and

1-19 (D) Subchapter E, Chapter 457.

1-20 SECTION 2. Subsection (e), Section 113.287, Natural
1-21 Resources Code, is amended to read as follows:

1-22 (e) A state agency, county, municipality, school district,
1-23 or mass transit authority or department is eligible to receive a
1-24 loan, grant, or other disbursement under this subchapter to carry
1-25 out an eligible conversion or infrastructure project regarding LPG
1-26 or another environmentally beneficial fuel to comply with fuel
1-27 requirements provided by or by rules adopted under:

1-28 (1) ~~[Subchapter F, Chapter 382, Health and Safety~~
1-29 ~~Code,~~

1-30 ~~[(2)]~~ Subchapter A, Chapter 2158, Government Code; or

1-31 ~~[(3)]~~ Subchapter C, Chapter 2171, Government

1-32 Code~~;~~

1-33 ~~[(4)]~~ Subchapter G, Chapter 451, Transportation Code;

1-34 ~~[(5)]~~ Subchapter F, Chapter 452, Transportation Code;

1-35 ~~or~~

1-36 ~~[(6)]~~ Subchapter F, Chapter 453, Transportation Code].

1-37 SECTION 3. Section 2158.001, Government Code, is amended to
1-38 read as follows:

1-39 Sec. 2158.001. DEFINITION. In this subchapter,
1-40 "conventional gasoline" means any gasoline that does not meet
1-41 specifications set by a certification under Section 211(k) of the
1-42 federal Clean Air Act (42 U.S.C. Section 7545(k)) ~~[has the meaning~~
1-43 ~~assigned by Section 382.131, Health and Safety Code].~~

1-44 SECTION 4. Subsection (a), Section 1232.104, Government
1-45 Code, is amended to read as follows:

1-46 (a) If the authority determines that a project is
1-47 financially viable and sufficient revenue is or will be available,
1-48 the authority may issue and sell obligations the proceeds of which
1-49 shall be used for the financing of:

1-50 (1) the conversion of state agency vehicles and other
1-51 sources of substantial energy output to an alternative fuel under
1-52 Subchapter A, Chapter 2158;

1-53 (2) the construction, acquisition, or maintenance by
1-54 the commission of fueling stations supplying alternative fuels or
1-55 equipment enhancing the use of engine-driven technology to support
1-56 state agency vehicles and other energy applications that use an
1-57 alternative fuel;

1-58 (3) the conversion of school district motor vehicles
1-59 and other sources of substantial energy output to an alternative
1-60 fuel;

1-61 (4) the construction, acquisition, or maintenance by a
1-62 school district of fueling stations supplying alternative fuels or
1-63 equipment enhancing the use of engine-driven technology to support
1-64 school district motor vehicles and other energy applications that

2-1 use an alternative fuel;
2-2 (5) the conversion of local mass transit authority or
2-3 department motor vehicles and other sources of substantial energy
2-4 output to an alternative fuel [~~under Chapters 451, 452, and 453,~~
2-5 ~~Transportation Code~~];
2-6 (6) the construction, acquisition, or maintenance of
2-7 fueling stations supplying alternative fuels or equipment
2-8 enhancing the use of engine-driven technology by a local mass
2-9 transit authority or department to support transit authority or
2-10 department vehicles and other energy applications that use an
2-11 alternative fuel;
2-12 (7) the conversion of motor vehicles and other sources
2-13 of substantial energy output of a local government[~~, as defined by~~
2-14 ~~Section 382.003, Health and Safety Code,~~] to an alternative fuel
2-15 [~~under Section 382.134, Health and Safety Code~~];
2-16 (8) the conversion of motor vehicles and other sources
2-17 of substantial energy output of a hospital district or authority, a
2-18 housing authority, or a district or authority created under Section
2-19 52, Article III, Texas Constitution, or Section 59, Article XVI,
2-20 Texas Constitution, to an alternative fuel;
2-21 (9) the construction, acquisition, or maintenance of
2-22 fueling stations supplying alternative fuels or equipment
2-23 enhancing the use of engine-driven technology to support motor
2-24 vehicles and other energy applications that use an alternative fuel
2-25 by a county, a municipality, or an entity described by Subdivision
2-26 (8); or
2-27 (10) a joint venture between the private sector and a
2-28 state agency or political subdivision that is required under law to
2-29 use an alternative fuel in the agency's or subdivision's vehicles or
2-30 other energy applications to:
2-31 (A) convert vehicles or other sources of
2-32 substantial energy output to an alternative fuel;
2-33 (B) develop fueling stations and resources for
2-34 the supply of alternative fuels and engine-driven applications;
2-35 (C) aid in the distribution of alternative fuels;
2-36 and
2-37 (D) engage in other projects to facilitate the
2-38 use of alternative fuels.
2-39 SECTION 5. This Act takes effect September 1, 2005.

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